

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1136

AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 5-2-14 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]:

Chapter 14. Methamphetamine Abuse Task Force

Sec. 1. As used in this chapter, "task force" refers to the methamphetamine abuse task force established by section 2 of this chapter.

Sec. 2. The methamphetamine abuse task force is established to do the following:

- (1) Obtain, review, and evaluate information concerning the harm caused by the illegal importation, production, and use of methamphetamine in Indiana.
- (2) Determine the extent to which methamphetamine use and methamphetamine laboratories interfere with or make more difficult the duties of:
 - (A) federal, state, and local law enforcement;
 - (B) fire departments;
 - (C) educational institutions; and
 - (D) health and social services agencies.
- (3) Review efforts in other states to stem the use and spread of methamphetamine.
- (4) Hold hearings around Indiana to obtain information

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regarding:

- (A) the nature of the methamphetamine problem; and
- (B) local initiatives to combat methamphetamine.
- (5) Invite experts to testify regarding any issue the task force is studying.
- (6) Collect additional information that will assist the task force in carrying out the duties set forth in subdivisions (1) through (5).

Sec. 3. (a) By October 31 of each year, the task force shall develop and update a long term strategic action plan to combat methamphetamine and to protect Indiana citizens. The plan must take an integrated approach that focuses on the synergistic benefits of coordinated efforts by the various disciplines represented on the task force.

(b) The strategic action plan must recommend specific actions to be taken during the term of the strategic plan, as well as specific actions, if any are identified, to be taken in the longer term, that are designed to do the following:

- (1) Lessen the demand for methamphetamine.
- (2) Decrease the supply of methamphetamine.
- (3) Improve the enforcement of methamphetamine laws.
- (4) Improve the ability of agencies to deal with the social and health consequences of methamphetamine.
- (5) Improve the ability of agencies to timely and effectively clean up hazardous materials relating to methamphetamine.

Sec. 4. The task force may receive grants, funds, gifts, bequests, and appropriations from any source.

Sec. 5. The task force consists of the following members:

- (1) The superintendent of the state police department or the superintendent's designee.
- (2) The commissioner of the state department of health or the commissioner's designee.
- (3) The state superintendent of public instruction or the state superintendent's designee.
- (4) The commissioner of the department of environmental management or the commissioner's designee.
- (5) The director of the state emergency management agency or the director's designee.
- (6) The secretary of family and social services or the secretary's designee.
- (7) A judge, to be appointed by the governor.
- (8) A prosecuting attorney, to be appointed by the governor.

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(9) A county public defender, to be appointed by the governor.

(10) A sheriff from a county with a population less than thirty thousand (30,000), to be appointed by the governor, or the sheriff's designee.

(11) A sheriff from a county with a population greater than one hundred thousand (100,000), to be appointed by the governor, or the sheriff's designee.

(12) A chief of police from a first or second class city, to be appointed by the governor, or the chief's designee.

(13) A chief of police from a third class city, to be appointed by the governor, or the chief's designee.

(14) One (1) mental health professional with expertise in the treatment of drug addiction, to be appointed by the governor.

(15) A physician with experience in treating individuals who have been:

(A) injured by an explosion or a fire in a methamphetamine laboratory; or

(B) harmed by contact with methamphetamine precursors; to be appointed by the governor.

(16) One (1) primary or secondary school professional with experience in educating children concerning the danger of methamphetamine abuse, to be appointed by the governor.

(17) Five (5) persons:

(A) one (1) representing a retail grocery;

(B) one (1) representing a retail pharmacy;

(C) one (1) representing a retail hardware store;

(D) one (1) representing convenience stores; and

(E) one (1) representing retail propane gas dealers;

with experience in combating the sale of methamphetamine precursors, to be appointed by the governor.

(18) A representative of the farming industry with knowledge of the problem of theft of anhydrous ammonia for use in the manufacture of methamphetamine, to be appointed by the governor.

(19) An individual appointed by the speaker of the house of representatives.

(20) An individual appointed by the president pro tempore of the senate.

(21) A probation officer appointed by the governor.

(22) A pharmaceutical manufacturer representative appointed by the governor.

Sec. 6. (a) The superintendent of the state police department

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shall serve as the chairperson of the task force.

(b) The task force shall meet at the call of the chairperson.

Sec. 7. The state police department shall staff the task force.

Sec. 8. The expenses of the task force shall be paid from an appropriation made to the state police department.

Sec. 9. A member of the task force who is a member of the general assembly is a nonvoting member.

Sec. 10. The affirmative votes of a majority of the voting members appointed to the task force are required for the task force to take action on a measure, including adoption of the strategic action plan.

Sec. 11. This chapter expires June 30, 2007.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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